

REMARKS

The Examiner has issued a restriction requirement stating that the application claims three separate inventions. Specifically, the Examiner identifies the three inventions as being:

- I. Claims 1-24 and 27, drawn to methods for producing a library of mutagenized polynucleotides from a target sequence comprising at least one oligonucleotide;
- II. Claims 25, 26, 28-38, drawn to methods for producing a library of mutagenized polynucleotides from a target sequence, comprising a library of oligonucleotides; and
- III. Claims 39-51, drawn to methods for producing a library of mutagenized polynucleotides from a double-stranded target sequence comprising a library of oligonucleotides.

Applicant elects Group I (Claims 1-24 and 27) without traverse. Accordingly, claims 25-26 and 28-51 are canceled without prejudice. Claims 1 and 27 are amended; and new claims 52-54 are added. Support for the claim language that the first and second primers serve as upstream (5') and downstream (3') primers which flank the section of the target sequence to be mutagenized appears in the specification, for example, at page 25, lines 4-6; for the claim language that the oligonucleotides in the library are of random sequence, at page 14, lines 7-21; for the claim language in new claim 53, at page 19, lines 18-26, and Figure 1; and for the claim language in new claim 54, at page 1, lines 10-11.

Applicant reserves the right pursuant to 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected inventions during the pendency of the present application.

Application No. 10/069,442
Restriction/Election Requirement dated June 26, 2006
Response filed August 28, 2006

CONCLUSION

Applicant respectfully solicits the Examiner to expedite prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned. The Commissioner is hereby authorized to charge a one month extension fee and any additional fees that may be required, or credit any overpayment to Deposit Account No. 23-2415 (Attorney Docket No. 22477-712).

Respectfully submitted,

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